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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CIVIL NO. 03-00657 SOM-BMK
)	
Plaintiff,	)	MOTION FOR CONFIRMATION OF
	)	SALE, TO APPROVE
vs.	)	COMMISSIONER'S REPORT,
	)	DISTRIBUTION OF PROCEEDS,
WALTER W. AHUNA; FRANCINE U.K.	)	DISPOSAL OF PERSONAL PROPERTY,
AHUNA; MAUI COLLECTION	)	AND FOR WRIT OF POSSESSION AND
SERVICE, INC.; DEPT. OF THE	)	CERTIFICATE OF SERVICE;
ATTORNEY GENERAL, COLLECTIONS	)	DECLARATION OF STEVEN R.
UNIT, STATE OF HAWAII; REAL	)	BAZZELL; DECLARATION OF STEVEN
PROPERTY TAX DIVISION,	)	R. CHAPMAN
DEPARTMENT OF FINANCE, COUNTY)	
OF MAUI,)	
)	
Defendants.)	
)	

MOTION FOR CONFIRMATION OF SALE, TO APPROVE
COMMISSIONER'S REPORT, DISTRIBUTION OF
PROCEEDS, DISPOSAL OF PERSONAL PROPERTY,
AND FOR WRIT OF POSSESSION

Comes now Plaintiff United States of America
(hereinafter referred to as Plaintiff U.S.A), by and through its
attorneys, EDWARD H. KUBO, JR., United States Attorney for the
District of Hawaii and HARRY YEE, Assistant United States

Attorney, and respectfully shows this Honorable Court the following:

1. That the public sale of Kyle Coffman, Commissioner, heretofore appointed by this Honorable Court, hereinafter referred to as "Commissioner", to Edwin Caraang, hereinafter referred to as "Purchaser", as more particularly set forth in the Commissioner's Report filed herein on March 14, 2006, be confirmed, and that said Commissioner be authorized and directed to execute and deliver a document of conveyance of the subject property to Purchaser or Purchaser's nominee, upon payment of the purchase price and payment of expenses of conveyancing.

2. That this Court find that said sale to Purchaser for the sum of SIX HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 (\$650,000.00), is fair and equitable and as high as any that can be obtained under the circumstances.

3. That said Commissioner be authorized to accept the balance, if any, of the purchase price.

4. That said Commissioner be authorized and directed to pay all delinquent and accrued real property taxes, if any, with respect to the subject property out of the proceeds of said sale, and if said real property taxes have been advanced by any of the parties hereto, that said Commissioner be authorized to

reimburse the said taxes prorated as of the date of conveyance to Purchaser.

5. That said Commissioner be allowed his expenses incurred and to be incurred out of the proceeds of said sale.

6. That said Commissioner be awarded out of the proceeds of said sale a reasonable fee for his services in such sum as may be determined by this Court, and that said Commissioner be directed to pay the balance of the proceeds to Plaintiff U.S.A. and certain other parties as may be ordered by the Court.

7. That the Court determine the amount of Plaintiff U.S.A.'s claim and the amount of all other claims herein.

8. That this Court determine the priorities of the parties hereto to receive payments of the proceeds of sale remaining after payment of the expenses of sale and the fee determined to be payable to the Commissioner.

9. That this Court issue a Writ of Possession giving the Purchaser herein possession of the subject premises, and allowing the Purchaser to dispose of the personal property, if any, which remains on the subject premises.

10. That pursuant to Rule 54(b), said judgment be entered as a final judgment as there is no just reason for delay.

DATED: Honolulu, Hawaii, March 21, 2006.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

/s/ Harry Yee
By _____
HARRY YEE
Assistant U.S. Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served Electronically through CM/ECF:

RICHARD L. ROST richard.rost@co.maui.hi.us 3/21/06

Served by First Class Mail:

ELTON W.M. AU 3/21/06
Office of the Attorney General
425 Queen Street
Honolulu, HI 96813

EDWARD M. HUDCOVIC 3/21/06
1993 S. Kihei Rd., Suite 200
Kihei, HI 96753

DATED: Honolulu, Hawaii, March 21, 2006.

/s/ Teri Zamora
